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Total # of Pages 9 (including this page)

TO:	PHONE #:	FAX #:
Examiner D.L. Jones Group Art Unit: 1616 United States Patent and Trademark Office	571-272-0617	703-872-9306

From : Stephen E. Reiter *SR*  
Email Address : sreiter@foley.com  
Sender's Direct Dial : 858.847.6711  
Date : May 7, 2004  
Client/Matter No : 073799-1107  
User ID No : 1877

**MESSAGE:**

Re: U.S. Patent Application No. 10/029,582

Attachment:

- 1) Request for Continued Examination, including One-Month Extension of Time, in duplicate (8 pgs.)

If there are any problems with this transmission or if you have not received all of the pages, please call 858.847.6700.

Operator:	Time Sent:	Return Original To: Mercedes F. "Ched" Dipasupil
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NO. 0423 P. 2

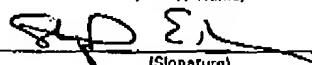
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MAY 07 2004

Atty. Dkt. No. VIVOR1420-1  
(073799-1107)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Soon-Shiong et al.  
Title: CYTOPROTECTIVE  
BIOCOMPATIBLE  
CONTAINMENT SYSTEMS  
FOR BIOLOGICALLY  
ACTIVE MATERIALS AND  
METHODS OF MAKING  
SAME

<b>CERTIFICATE OF FACSIMILE TRANSMISSION</b> I hereby certify that this paper is being facsimile transmitted to the United States Patent and Trademark Office, Alexandria, Virginia on the date below.  Stephen E. Reiter, Reg. 31,192 (Printed Name)   (Signature)  5/7/04 (Date of Deposit)
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Appl. No.: 10/029,582

Appl. Filing Date: 12/20/2001

Examiner: D.L. Jones

Art Unit: 1616

**REQUEST FOR CONTINUED EXAMINATION (RCE)**  
**TRANSMITTAL**

Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application. This RCE and the enclosed items listed below are being filed prior to the earliest of: (1) payment of the issue fee (unless a petition under 37 C.F.R. § 1.313 is granted); (2) abandonment of the application; or (3) the filing of a notice of appeal to the U.S. Court of Appeals for the Federal Circuit under 35 U.S.C. §141, or the commencement of a civil action under 35 U.S.C. §145 or §146 (unless the appeal or civil action is terminated).

Applicant(s): Soon-Shiong et al.  
Application No. 10/029,582

Atty. Dkt. No. VIVOR1420-1  
(073799-1107)

1. Submission required under 37 C.F.R. §1.114: (check items that apply)

a. Previously submitted:

☒ Please enter and consider the amendment/reply previously filed on April 7, 2004.

☐ Please consider the Affidavit(s)/Declaration(s) previously filed on \_\_\_ but not considered.

☐ Please consider the arguments in the Appeal Brief or Reply Brief under 37 C.F.R. § 1.116 previously filed on \_\_\_.

☐ Other \_\_\_\_\_.

b. Enclosed are:

☐ Amendment/Reply.

☐ Affidavit(s)/Declaration(s).

☐ Information Disclosure Statement.

☐ Form PTO-1449 with copies of \_\_\_ listed reference(s).

☐ Other .

Miscellaneous:

☐ Suspension of action of the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_ months.

Applicant(s): Soon-Shiong et al.  
Application No. 10/029,582

Atty. Dkt. No. VIVOR1420-1  
(073799-1107)

The filing fee is calculated below:

	Claims as Amended	Previously Paid For	Extra Claims Present	Rate	Fee Totals
RCE Fee 1.17(e):				\$770.00	= \$770.00
Total Claims:	32	- 32	= 0	x \$18.00	= \$0.00
Independents	11	- 11	= 0	x \$86.00	= \$0.00
First presentation of any Multiple Dependent Claims:				+ \$290.00	= \$0.00
CLAIMS FEE TOTAL:					= \$770.00

☒ Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

<input checked="" type="checkbox"/> Extension for response filed within the first month:	\$110.00	1	\$110.00
<input type="checkbox"/> Extension for response filed within the second month:	\$420.00		\$0.00
<input type="checkbox"/> Extension for response filed within the third month:	\$950.00		\$0.00
<input type="checkbox"/> Extension for response filed within the fourth month:	\$1,480.00		\$0.00
<input type="checkbox"/> Extension for response filed within the fifth month:	\$2,010.00		\$0.00
EXTENSION FEE SUBTOTAL:			\$110.00
EXTENSION FEE ALREADY PAID:			- \$0.00
EXTENSION FEE TOTAL			\$110.00
CLAIMS AND EXTENSION FEE TOTAL:			\$880.00
<input checked="" type="checkbox"/> Small Entity Fees Apply (subtract ½ of above):			\$440.00
<input type="checkbox"/> Suspension of action requested under 37 C.F.R. § 1.103(c)			\$0.00
TOTAL FEE:			\$440.00

☒ Please charge Deposit Account No. 50-0872 in the amount of \$440.00. A duplicate copy of this transmittal is enclosed.

Applicant(s): Soon-Shiong et al.  
Application No. 10/029,582

Atty. Dkt. No. VIVOR1420-1  
(073799-1107)

[ X ] The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872.

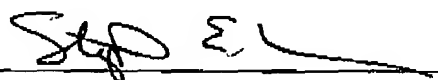
Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date

5/7/04

By



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Facsimile: (858) 792-6773

Stephen E. Reiter

Attorney for Applicant

Registration No. 31,192